

REMARKS

Favorable reconsideration of this application is requested.

Claims 2-12 are in the case.

Claims 1-3 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Kadoya et al.

Insofar as these claims are concerned, they have been cancelled. Note that Claims 2 and 3, as now amended, depend on Claim 8, not so rejected under Section 102 of the Statute.

Consequently, this rejection has become moot, its withdrawal being requested.

Claims 4-10 stand rejected under 35 U.S.C. § 103(a) as being obvious over Kadoya et al taken with JP 05294476A or Kitaoka.

Claims 7-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyamoto et al. in view of Kadoya et al.

These rejections are traversed.

As so recognized by the Examiner, these § 103 rejections may be overcome by a showing that the subject matter of the reference and claimed invention were, at the time the invention was made, owned by the same person or subject an obligation of assignment to the same person. Such is the case here. The invention of Kadoya et al. is now, and at the time it was made, commonly owned, Kadoya being a co-inventor herein. As such, under the provisions of 35 U.S.C. § 103(c), the indicated rejections clearly fail, they all require reliance on Kadoya et al. for an asserted holding of obviousness.

Further, and in any event, it is pointed out to the Examiner that the disclosure by Kadoya et al. relates to laminates useful in the food industry, as so acknowledged at page 2, first full paragraph of the specification. As such, contrary to the Examiner's assertion, one skilled in this art would have no reason or incentive to combine this teaching with the

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teachings of the secondary references, they relating to totally different fields of endeavor, i.e.,  
as an electronic component packaging container.

Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103 is  
requested.


It is submitted that all of the claims in the case now define the patentable invention.  
Their allowance is solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
NFO/SHB/cja

  
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Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Samuel H. Blech  
Registration No. 32,082